

DEC 20 2004

PATENT  
ATTORNEY DOCKET NO: 33677-00700US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Borodic *et al.*

Application No: 10/040,830

Filed: January 8, 2002

For: THE USE OF BOTULINUM  
TOXIN FOR THE  
TREATMENT OF  
CHRONIC FACIAL PAIN

Group Art Unit: 1645

Examiner: Vanessa L. Ford

Director  
United States Patent and Trademark Office  
Alexandria, VA 22313-1450INFORMATION DISCLOSURE STATEMENT

Applicants herewith submit an Information Disclosure Statement ("IDS") under 37 CFR §§ 1.97 (c) and 1.98, and pursuant to 37 CFR § 1.56 which is accompanied by the required fee of \$180 under 37 CFR § 1.17(p). A copy of each document listed in the IDS is attached hereto.

This submission does not constitute an admission that any or all of the listed documents are material or constitute "prior art" under United States law. Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of each document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 CFR § 1.18, the Director is hereby authorize by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 CFR §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 13-3250. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 CFR § 1.136(a)(3)

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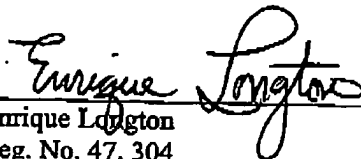
Application Serial No.: 10/040,830

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Respectfully submitted,

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By:

  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/040,830
Filing Date	January 8, 2002
First Named Inventor	Borodic et al.
Art Unit	1645
Examiner Name	Vanessa L. Ford
Attorney Docket Number	33677-00700

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of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		J. OLESEN, "Classification of Headache" Chapter 2, The Headaches, Second Edition, Lippincott, Williams and Wilkins. Eds. Olesen, Hansen & Walsh. Philadelphia, 1999.	
		"Alabama Blue Cross and Blue Shield Policies Regarding Uses of Botulinum Toxin for Pain" December 2002.	
		The Subcutaneous Sumatriptan International Study Group. Treatment of Migraine Attacks with Sumatriptan. New England Journal of Medicine. (1991) Vol. 325, No. 5, pp 316-321.	

Examiner  
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Considered

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